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TAGS: [KTIP](#) [ELAB](#) [KCRM](#) [KPAO](#) [KWMN](#) [PGOV](#) [PHUM](#) [PREL](#) [SMIG](#) [JO](#)
SUBJECT: JORDAN -- 2009 TIP REPORT: PRESS GUIDANCE AND
DEMARCHE

REF: A. STATE 59732
[1](#)B. STATE 005577

[1](#)1. This is an action cable; see paras 5 through 7 and 10.

[1](#)2. On June 16, 2009, at 10:00 a.m. EDT, the Secretary will release the 2009 Trafficking in Persons (TIP) Report at a press conference in the Department's press briefing room. This release will receive substantial coverage in domestic and foreign news outlets. Until the time of the Secretary's June 16 press conference, any public release of the Report or country narratives contained therein is prohibited.

[1](#)3. The Department is hereby providing Post with advance press guidance to be used on June 16 or thereafter. Also provided is demarche language to be used in informing the Government of Jordan of its tier ranking and the TIP Report's imminent release. The text of the TIP Report country narrative is provided, both for use in informing the Government of Jordan and in any local media release by Post's public affairs section on June 16 or thereafter. Drawing on information provided below in paras 8 and 9, Post may provide the host government with the text of the TIP Report narrative no earlier than 1200 noon local time Monday June 15 for WHA, AF, EUR, and NEA countries and OOB local time Tuesday June 16 for SCA and EAP posts. Please note, however, that any public release of the Report's information should not/precede the Secretary's release at 10:00 am EDT on June 16.

[1](#)4. The entire TIP Report will be available on-line at www.state.gov/g/tip shortly after the Secretary's June 16 release. Hard copies of the Report will be pouched to posts in all countries appearing on the Report. The Secretary's statement at the June 16 press event, and the statement of and fielding of media questions by G/TIP's Director and Senior Advisor to the Secretary, Ambassador-at-Large Luis CdeBaca, will be available on the Department's website shortly after the June 16 event. Ambassador de Baca will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT

[1](#)5. Action Request: No earlier than 12 noon local time on Monday June 15 for WHA, AF, EUR, and NEA posts and OOB local time on Tuesday June 16 for SCA and EAP posts, please inform the appropriate official in the Government of Jordan of the June 16 release of the 2009 TIP Report, drawing on the points in para 9 (at Post's discretion) and including the text of the country narrative provided in para 8. For countries where the State Department has lowered the tier ranking, it is particularly important to advise governments prior to the Report being released in Washington on June 16.

[1](#)6. Action Request continued: Please note that, for those countries which will not receive an "action plan" with specific recommendations for improvement, posts should draw host governments' attention to the areas for improvement identified in the 2009 Report, especially highlighted in the "Recommendations" section of the second paragraph of the narrative text. This engagement is important to establishing the framework in which the government's performance will be

judged for the 2010 Report. If posts have questions about which governments will receive an action plan, or how they may follow up on the recommendations in the 2009 Report, please contact G/TIP and the appropriate regional bureau.

17. Action Request continued: On June 16, please be prepared to answer media inquiries on the Report's release using the press guidance provided in para 11. If Post wishes, a local press statement may be released on or after 10:30 am EDT June 16, drawing on the press guidance and the text of the TIP Report's country narrative provided in para 8.

18. Begin Final Text of Jordan,s country narrative in the 2009 TIP Report

JORDAN (Tier 2)

Jordan is a destination and transit country for women and men from South and Southeast Asia for the purpose of forced labor. There were some reports of women from Morocco and Tunisia being subjected to forced prostitution after arriving in Jordan to work in restaurants and night clubs. Women from Bangladesh, Sri Lanka, Indonesia, and the Philippines migrate willingly to work as domestic servants, but some are subjected to conditions of forced labor, including unlawful withholding of passports, restrictions on movement, non-payment of wages, threats, and physical or sexual abuse. During the reporting period, the Government of the Philippines continued to enforce a ban on new Filipina workers migrating to Jordan for domestic work because of a high rate of abuse of Filipina domestic workers by employers in Jordan. At the end of the reporting period, an estimated 600 Filipina, Indonesian, and Sri Lankan foreign domestic workers were sheltered at their respective embassies in Amman; most of whom fled some form of forced labor.

In addition, some Chinese, Bangladeshi, Indian, Sri Lankan, and Vietnamese men and women have encountered conditions indicative of forced labor in a few factories in Jordan,s Qualifying Industrial Zones (QIZs), including unlawful withholding of passports, delayed payment of wages, including overtime, and, in a few cases, verbal and physical abuse. In past years, Jordan has been a transit country for South and Southeast Asian men deceptively recruited with fraudulent job offers in Jordan, but instead trafficked to work involuntarily in Iraq. There were no substantiated reports of this, however, during the reporting period.

The Government of Jordan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government amended its labor law to cover agriculture and domestic workers, passed comprehensive anti-trafficking legislation, initiated a joint labor inspector and police anti-trafficking investigation unit, started a Human Trafficking Office within the Public Security Directorate,s (PSD) Criminal Investigation Unit, and improved efforts to identify victims of trafficking and related exploitation among foreign domestic workers, foreign laborers in the QIZs, and foreign women in prostitution. Nevertheless, anti-trafficking law enforcement efforts were nascent and the identification of labor trafficking offenses and related victims was inadequate, with some victims treated as offenders and penalized for acts committed as a direct result of their being trafficked.

Recommendations for Jordan: use the new comprehensive anti-trafficking law by increasing efforts to investigate, prosecute, and sentence trafficking offenders, particularly those involving forced labor; complete regulations defining the terms of employment for domestic workers and those governing the operation of recruitment agencies; enhance services available for trafficking victims to include a shelter; implement a comprehensive awareness campaign to educate the public on trafficking and forced labor, focusing on domestic workers and the new anti-trafficking law; and

strengthen efforts to proactively identify victims of trafficking and forced labor and ensure victims are not punished for unlawful acts committed as a direct result of their being trafficked.

Prosecution

The Government of Jordan made improved efforts to criminally punish trafficking offenders during the reporting period. On March 31, 2009, a comprehensive anti-human trafficking law came into force that prohibits all forms of trafficking. The new law prescribes penalties of up to ten years, imprisonment for forced prostitution and trafficking involving aggravating circumstances such as the trafficking of a child or trafficking involving a public official, though penalties prescribed for labor trafficking offenses not involving aggravating circumstances are limited to a minimum of six months, imprisonment and a maximum fine of \$7,000) penalties that are not sufficiently stringent. Jordan,s labor law assigns administrative penalties, such as fines of up to \$1,400, to labor violations committed against Jordanian or foreign workers, including forced labor offenses; these penalties also are not sufficiently stringent. Although the Jordanian government did not provide comprehensive data on its anti-trafficking law enforcement efforts over the last year, it reported investigating at least 19 cases, of which 10 were sent to judicial authorities for prosecution and nine were resolved administratively. During 2008, the Ministry of Labor (MOL) closed seven labor recruitment agencies for offenses that relate to forced labor. The MOL investigated 535 general labor complaints received from Jordanian and foreign workers through the MOL-operated hotline, which included some indicators of forced labor, such as employers withholding workers, passports. In late 2008, the PSD,s Criminal Investigation Department (CID) investigated the forced prostitution of two Tunisian women and arrested their trafficker. In early 2009, the CID investigated and forwarded for prosecution two cases, involving seven women, of forced labor in night clubs. The government in October 2008 began prosecuting 75 municipal employees in Karak for abuses of their power that included forging work permits for migrant workers, a potential contributor to forced labor. The government provided anti-trafficking training through the police training academy and a training program for labor inspectors.

Protection

The Jordanian government made improved but inadequate efforts to protect victims of trafficking during the last year. The government continued to lack direct shelter services for victims of trafficking, though Article 7 of the newly passed anti-trafficking law contains a provision for the opening of shelters. A government-run shelter for abused Jordanian women housed approximately 10 foreign domestic workers who had been sexually assaulted by their employers and subsequently referred to the shelter by PSD,s Family Protection Department; these domestic workers may have been trafficking victims. Although Jordanian law enforcement authorities did not employ systematic procedures to proactively identify or refer victims of trafficking, some victims were identified by the PSD and referred to NGOs for care. The government did not ensure that victims were not penalized for unlawful acts committed as a direct result of being trafficked; victims continued to be vulnerable to arrest and incarceration if found without adequate residency documents and some foreign domestic workers fleeing abusive employers were incarcerated after their employers filed false claims of theft against them. The government did not actively encourage victims of domestic servitude to participate in the investigation or prosecution of trafficking offenders. The fining of foreign workers without valid residency documents) including identified trafficking victims) on a per day basis for being out-of-status served as a disincentive to stay in Jordan and pursue legal action against traffickers. Nevertheless, the Ministry of Interior often waived the accumulated overstay penalties levied against runaway8 foreign domestic workers in order to

repatriate them.

Prevention

Jordan made limited efforts to prevent trafficking in persons during the reporting period. The Ministry of Labor collaborated with local NGOs to raise awareness of labor trafficking through ads on billboards, and public service announcements in the print media and via radio. The MOL continued training labor inspectors on various facets of human trafficking and continued distribution of a guidebook it published on protections for foreign domestic workers, including hotlines to call to report abuse. The PSD provided trafficking-specific training to the thousands of officers it sent abroad for participation in international peacekeeping efforts. The government did not undertake any discernable measures to reduce the demand for commercial sex acts.

19. Post may wish to deliver the following points, which offer technical and legal background on the TIP Report process, to the host government as a non-paper with the above TIP Report country narrative:

(begin non-paper)

-- The U.S. Congress, through its passage of the 2000 Trafficking Victims Protection Act, as amended (TVPA), requires the Secretary of State to submit an annual Report to Congress. The goal of this Report is to stimulate action and create partnerships around the world in the fight against modern-day slavery. The USG approach to combating human trafficking follows the TVPA and the standards set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the "Palermo Protocol"). The TVPA and the Palermo Protocol recognize that this is a crime in which the victims, labor or services (including in the "sex industry") are obtained or maintained through force, fraud, or coercion, whether overt or through psychological manipulation. While much attention has focused on international flows, both the TVPA and the Palermo Protocol focus on the exploitation of the victim, and do not require a showing that the victim was moved.

-- Recent amendments to the TVPA removed the requirement that only countries with a "significant number" of trafficking victims be included in the Report. Beginning with the 2009 TIP Report, countries determined to be a country of origin, transit, or destination for victims of severe forms of trafficking are included in the Report and assigned to one of three tiers. Countries assessed as meeting the "minimum standards for the elimination of severe forms of trafficking" set forth in the TVPA are classified as Tier 1. Countries assessed as not fully complying with the minimum standards, but making significant efforts to meet those minimum standards are classified as Tier 2. Countries assessed as neither complying with the minimum standards nor making significant efforts to do so are classified as Tier 3.

-- The TVPA also requires the Secretary of State to provide a "Special Watch List" to Congress later in the year. Anti-trafficking efforts of the countries on this list are to be evaluated again in an Interim Assessment that the Secretary of State must provide to Congress by February 1 of each year. Countries are included on the "Special Watch List" if they move up in "tier" rankings in the annual TIP Report -- from 3 to 2 or from 2 to 1) or if they have been placed on the Tier 2 Watch List.

-- Tier 2 Watch List consists of Tier 2 countries determined: (1) not to have made "increasing efforts" to combat human trafficking over the past year; (2) to be making significant efforts based on commitments of anti-trafficking reforms over the next year, or (3) to have a very significant number of

trafficking victims or a significantly increasing victim population. As indicated in reftel B, the TVPRA of 2008 contains a provision requiring that a country that has been included on Tier 2 Watch List for two consecutive years after the date of enactment of the TVPRA of 2008 be ranked as Tier 3. Thus, any automatic downgrade to Tier 3 pursuant to this provision would take place, at the earliest, in the 2011 TIP Report (i.e., a country would have to be ranked Tier 2 Watch List in the 2009 and 2010 Reports before being subject to Tier 3 in the 2011 Report). The new law allows for a waiver of this provision for up to two additional years upon a determination by the President that the country has developed and devoted sufficient resources to a written plan to make significant efforts to bring itself into compliance with the minimum standards.

-- Countries classified as Tier 3 may be subject to statutory restrictions for the subsequent fiscal year on non-humanitarian and non-trade-related foreign assistance and, in some circumstances, withholding of funding for participation by government officials or employees in educational and cultural exchange programs. In addition, the President could instruct the U.S. executive directors to international financial institutions to oppose loans or other utilization of funds (other than for humanitarian, trade-related or certain types of development assistance) with respect to countries on Tier 3. Countries classified as Tier 3 that take strong action within 90 days of the Report's release to show significant efforts against trafficking in persons, and thereby warrant a reassessment of their Tier classification, would avoid such sanctions. Guidelines for such actions are in the DOS-crafted action plans to be shared by Posts with host governments.

-- The 2009 TIP Report, issuing as it does in the midst of the global financial crisis, highlights high levels of trafficking for forced labor in many parts of the world and systemic contributing factors to this phenomenon: fraudulent recruitment practices and excessive recruiting fees in workers, home countries; the lack of adequate labor protections in both sending and receiving countries; and the flawed design of some destination countries, "sponsorship systems" that do not give foreign workers adequate legal recourse when faced with conditions of forced labor. As the May 2009 ILO Global Report on Forced Labor concluded, forced labor victims suffer approximately \$20 billion in losses, and traffickers, profits are estimated at \$31 billion. The current global financial crisis threatens to increase the number of victims of forced labor and increase the associated "cost of coercion."

-- The text of the TVPA and amendments can be found on website www.state.gov/g/tip.

-- On June 16, 2009, the Secretary of State will release the ninth annual TIP Report in a public event at the State Department. We are providing you an advance copy of your country's narrative in that report. Please keep this information embargoed until 10:00 am Washington DC time June 16. The State Department will also hold a general briefing for officials of foreign embassies in Washington DCon June 17 at 3:30 pm EDT.

(end non-paper)

10. Posts should make sure that the relevant country narrative is readily available on or through the Mission's web page in English and appropriate local language(s) as soon as possible after the TIP Report is released. Funding for translation costs will be handled as it was for the Human Rights Report. Posts needing financial assistance for translation costs should contact their regional bureau's EX office.

11. The following is press guidance provided for Post to use with local media.

Q1: Why was Jordan given a Tier 2 ranking?

A: Jordan was upgraded to Tier 2 in recognition of passage of comprehensive anti-trafficking legislation and improved anti-trafficking law enforcement efforts. The government also initiated a joint labor inspector and police TIP investigation unit, started a Human Trafficking Office within the Public Security Directorate,s (PSD) Criminal Investigation Unit, and improved efforts to identify victims of trafficking and related exploitation among foreign domestic workers, foreign laborers in the Qualified Industrial Zones (QIZs), and foreign women in prostitution.

, Some victims were treated as offenders and penalized for acts committed as a direct result of their being trafficked and limited victim services were available to victims appropriately identified and those seeking assistance on their own. Penalties prescribed for labor trafficking offenses not involving aggravating circumstances are limited to a minimum of six months, imprisonment and a maximum fine of \$7,000. These penalties are not considered to be sufficiently stringent.

Q2: What can Jordan do to improve its fight against trafficking in persons?

A: The Jordanian government could: use the new comprehensive anti-trafficking law by increasing efforts to investigate, prosecute, and sentence trafficking offenders, particularly those involving forced labor; complete regulations defining the terms of employment for domestic workers and those governing the operation of recruitment agencies; enhance services available for trafficking victims to include a shelter; implement a comprehensive awareness campaign to educate the public on trafficking and forced labor, focusing on domestic workers and the new anti-trafficking law; and strengthen efforts to proactively identify victims of trafficking and forced labor and ensure victims are not punished for unlawful acts committed as a direct result of their being trafficked.

JORDANIAN TIP REPORT HERO

¶12. Post may want to highlight the work of Aida Abu Ras, one of Heroes in the Global Effort to Combat Trafficking in Persons honored by the Secretary of State in her 2009 TIP Report, in its engagement of local media.

Aida Abu Ras created in 2003 the first NGO in Jordan to tackle human trafficking while working full time for the Swiss organization 1,000 Peace Women for the Nobel Prize. Her NGO, Friends of Women Workers, provides legal counseling for migrant women and develops radio and print media campaigns to raise awareness of conditions faced by many foreign domestic workers. In one campaign, the organization sent more than 120,000 SMS messages and 2 million e-mails to Jordanians on the appropriate treatment of their workers. Ms. Abu Ras is now developing a training program for foreign domestic workers and is working with the Jordanian government to build capacity for enforcing regulations and assisting domestic workers. While running her NGO, Ms. Abu Ras has also worked full time since 2006 as a program manager at the Jordanian National Commission for Women, continuing her advocacy for the rights of women and foreign domestic workers.

¶13. The Department appreciates posts, assistance with the preceding action requests.

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